

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA
V.

ORDER OF DETENTION PENDING
TRIAL

FREDERIC ALAN GLADLE
Defendant

Case Number: A-11-CR-708 LY

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I—Findings of Fact

Alternative Findings (A)

- ☐ (1) There is probable cause to believe that the defendant has committed an offense:
☐ for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 801, et seq.
☐ under 18 U.S.C. § 924(c).
- ☐ (2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community, as established by finding (1).

Alternative Findings (B)

- ☒ (1) There is a serious risk that the defendant will not appear.
☐ The defendant is not a citizen of the United States and is not lawfully admitted for permanent residence.
The defendant has pled guilty to a scheme that involved, among other things, his aggressive attempt to hide his identity. He was found in possession of at least two false driver's licenses, and there is ample evidence of the defendant's knowledge and use of electronic and other means to hide his location and identity. On top of this, the scheme resulted in gross receipts of at least \$1.4 million, and the government has recovered only a fraction of this amount of money. It is unknown where the vast majority of this money went, whether it has already been spent, and whether any substantial amount remains available to the defendant. Finally, given his past actions, the defendant lacks the credibility to make any statements that the Court can rely on regarding his intentions were he to be released.
- ☐ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

Alternative Findings (C)

- ☐ The defendant is currently on probation, supervised release, or parole for an offense under federal, state or local law.

Alternative Findings (D)

- ☐ After consulting with counsel, defendant waived his right to a hearing at this time, without prejudice to seeking release in the future.

Part II—Written Statement of Reasons for Detention

Based on the findings set forth above, I find that the credible testimony and information submitted at the hearing establishes by:

- ☒ a preponderance of the evidence that no condition or combination of conditions will reasonably assure the defendant's appearance.
☐ clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of the community.

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

January 6, 2012

Date



Signature of Judicial Officer

Andrew W. Austin, United States Magistrate Judge

Name and Title of Judicial Officer